



1731\$

PIPER RUDNICK LLP
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FACSIMILE: 202-223-2085

DOCKET NO.: 3843-002-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Re: Serial No.: 09/735,177
Applicant(s): David McCray PEELE
Filing Date: December 12, 2000
For: TOBACCO PROCESSING
Group Art Unit: 1731
Examiner: WALLS, DIONNE

SIR:

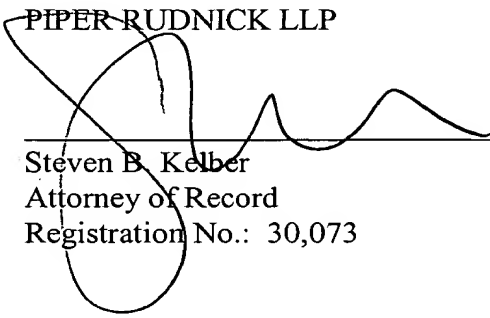
Attached hereto for filing are the following papers:

Fee Transmittal
Information Disclosure Statement
PTO-1449
Cited Documents (3)

Our check in the amount of \$ 180.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

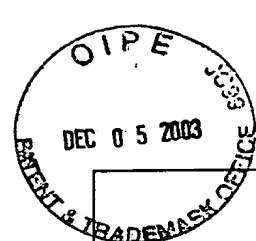


Steven B. Kelber
Attorney of Record
Registration No.: 30,073

12/08/2003 CNGUYEN 00000003 09735177

01 FC:1806

180.00 DP



FEE TRANSMITTAL

| | |
|----------------|--------------------|
| Docket No. | 3843-002-27 CONT |
| Serial No. | 09/735,177 |
| Filing Date | December 12, 2000 |
| Inventor(s) | David McCray PEELE |
| Group Art Unit | 1731 |

| | |
|-------------------------|----------|
| TOTAL AMOUNT OF PAYMENT | \$180.00 |
|-------------------------|----------|

| | |
|----------|------------------|
| Examiner | WALLS, Dionne A. |
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1. ☐ Applicant claims small entity status.

☒ Charge any UNDERPAYMENT or credit any OVERPAYMENT in the indicated fees to Deposit Account No. 50-1442.

☐ Charge the indicated fees to Deposit Account No. 50-1442.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|-----------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | | Small Entity | | Fee Description | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Paid |
|--------------|-----|--------------|-----|------------------------------------------------------|----------|----------|----------|----------|----------|
| 1051 | 130 | 2051 | 65 | Surcharge-late filing fee or oath | | | | | |
| 1052 | 50 | 2052 | 25 | Surcharge-late provisional filing fee or cover sheet | | | | | |
| 1053 | 130 | 1053 | 130 | Non-English Specification | | | | | |
| 1251 | 110 | 2251 | 55 | 1-mo. ext. of time | | | | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | | | | | |
| 1002 | 340 | 2002 | 170 | Design filing fee | | | | | |
| 1003 | 520 | 2003 | 260 | Plant filing fee | | | | | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | | | | | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | | | | | |

| | |
|--------------|--------|
| SUBTOTAL (1) | \$0.00 |
|--------------|--------|

2. EXTRA CLAIM FEES

| | | | | | | | | | | | | | | |
|-------------|---|-----|---|---|---|------|---|---|------|------|------|-----|---------------------------|--|
| tot. claims | - | 20* | = | 0 | x | \$18 | = | 0 | 1501 | 1330 | 2501 | 665 | Utility/Reissue Issue Fee | |
| ind. claims | - | 3* | = | 0 | x | \$86 | = | 0 | 1502 | 480 | 2502 | 240 | Design Issue Fee | |

| | | | | | | | | | | |
|--------------------------|---------------------------|-------|---|--|------|-----|------|-----|-----------------|--|
| <input type="checkbox"/> | Multiple Dependent Claims | \$290 | = | | 1504 | 300 | 1504 | 300 | Publication Fee | |
|--------------------------|---------------------------|-------|---|--|------|-----|------|-----|-----------------|--|

| Large Entity | | Small Entity | | Fee Description | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Paid | | | | |
|--------------|-----|--------------|-----|----------------------------------------------------------|-------------------------|----------|----------|----------|------------------------|--|--|--|--|
| 8001 | 3 | 8001 | 3 | Advance Copy of Patent | | | | | | | | | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | | | | | | | | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | 1806 | 180 | 1806 | 180 | IDS Submission \$180 | | | | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | 8021 | 40 | 8021 | 40 | Assignment recordation | | | | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | 1801 | 770 | 2801 | 385 | For Filing RCE | | | | |
| 1204 | 84 | 2204 | 43 | *Reissue independent claims over original patent | 1814 | 110 | 2814 | 55 | Terminal Disclaimer | | | | |
| 1205 | 18 | 2205 | 9 | *Reissue claims in excess of 20 and over original patent | OTHER (indicate below): | | | | | | | | |

| | |
|--------------|--------|
| SUBTOTAL (2) | \$0.00 |
|--------------|--------|

* or number previously paid, if greater; For Reissues, see above

| | |
|--------------|----------|
| SUBTOTAL (3) | \$180.00 |
|--------------|----------|

| | | | | | |
|-----------|------------------|------------------|------------------|-----------|--------------|
| Name | Steven B. Kelber | Registration No. | 30,073 | | |
| Signature | | Date | December 5, 2003 | Telephone | 202-861-3900 |
| Name | | Registration No. | | | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION: David McCray PEELE

GROUP ART UNIT: 1731

SERIAL NUMBER: 09/735,177

EXAMINER: WALLS, DIONNE A.

FILED: December 12, 2000

FOR: TOBACCO PROCESSING

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97

Assistant Commissioner for Patents
PO BOX 1450
ALEXANDRIA, VA 22313-1450

Sir:

Applicant(s) wish(es) to disclose the following information.

REFERENCES

- ☒ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are either statements of relevancy or any readily available full or partial English translations of any non-English-language documents.

RELATED CASES

- ☐ Attached is a list of Applicant's(s') pending applications and issued patents which may be related to the present application. Copies of the documents, where required, are attached along with Form PTO-1449.

CERTIFICATION

The undersigned certifies that

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application for the first time (to the knowledge of the undersigned, having made reasonable inquiry) not more than three months prior to the filing of this statement.
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- ☐ without fee and within three months of the filing date of the application.
- ☐ without fee and within three months of the date of entry of the U.S. national stage.
- ☐ without fee and before the mailing date of a first Office Action on the merits (to the knowledge of the undersigned).
- ☐ without fee and with the appropriate certification above.
- ☐ without fee and with a new CPA application.
- ☐ without fee and with a Request for Continued Examination.
- ☒ with fee and before the mailing date of any of a Final Office Action, Notice of Allowance or an action that otherwise closes prosecution (to the knowledge of the undersigned).
- ☐ with fee, appropriate certification above, and before payment of the Issue Fee.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 50-1442.

Respectfully submitted,

PIPER RUDNICK LLP

Steven B. Kelber
Attorney of Record
Registration No. 30,073

1200 Nineteenth Street, N.W.
Washington, DC 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

Form PTO 1449

U.S. DEPARTMENT OF
COMMERCE
PATENT AND TRADEMARK
OFFICE

DOCKET NO.

3843-002-27 CONT

SERIAL NO.

09/735,177

APPLICANT

David McCray PEELE

FILING DATE

December 12, 2000

GROUP ART UNIT

1731

LIST OF REFERENCES CITED BY APPLICANT

(Use Several Sheets if Necessary)

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|----|--------------------|------|------|-------|--------------|-------------------------------|
| | AA | | | | | | |
| | AB | | | | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
| | AF | | | | | | |
| | AG | | | | | | |
| | AH | | | | | | |
| | AI | | | | | | |
| | AJ | | | | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | TRANSLATION YES NO | |
|--|----|--------------------|------|---------|-----------------------|--|
| | AK | | | | | |
| | AL | | | | | |
| | AM | | | | | |
| | AN | | | | | |
| | AO | | | | | |

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AP | "Plaintiff's Response to Defendant's Second Set of Interrogatories", Star Scientific, Inc. v. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504, April 8, 2002. |
| AQ | "Deposition of David Peele", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Certified Copy, November 14, 2002. |
| AR | "Deposition of Tim Nestor", Star Scientific, Inc. vs. R.J. Reynolds Tobacco Company, Case No. AW 01-CV-1504/Case No. AW 02-CV-2504, Original, August 29, 2002. |
| AS | |

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.